

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

**PATRIARCH PARTNERS MANAGEMENT
GROUP, LLC, ET AL.,**

Plaintiffs,

-against-

FSAR HOLDINGS, INC, ET AL.,

Defendants.

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DATE FILED: 12/9/2021

20-cv-06814 (ALC)

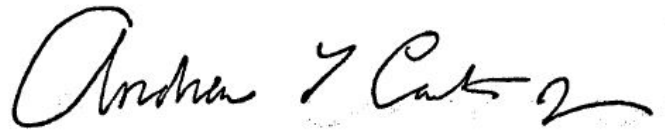
ORDER

ANDREW L. CARTER, JR., United States District Judge:

The Court is in receipt of Plaintiffs' Notice of Voluntary Dismissal dated December 7, 2021. This action is subject to the automatic stay entered in *In re Zohar III, Corp., et al.*, Case No. 18-10512 (KBO) (Bankr. D. Del). However, the "unilateral dismissal of a claim against a bankrupt under Fed. R. Civ. P. 41 or its equivalent by agreement and judicial approval assists rather than interferes with the goals of Chapter 11." *Chase Manhattan Bank, N.A. v. Celotex Corp.*, 852 F. Supp. 226, 228 (S.D.N.Y. 1994) (citing *In re Terio*, 158 B.R. 907 (S.D.N.Y. 1993), *aff'd*, Dkt No 93-5099, 5100 (2d Cir. April 25, 1994)). Accordingly, pursuant to Rule 41(a)(1) of the Federal Rules of Civil Procedure, Plaintiffs' voluntary dismissal of the above-captioned action, without prejudice and without costs, ECF No. 18, is **GRANTED**.

SO ORDERED.

Dated: December 9, 2021
New York, New York



**ANDREW L. CARTER, JR.
United States District Judge**